

**INLAND WETLANDS COMMISSION
SPECIAL MEETING
November 23, 2015**

MEMBERS:

Mary Davis, Chair
Sally MacKenzie, absent
Marcia Puc
Tracy DeBarber - absent
Mark Bakstis

OTHER:

Sue Goggin, Town Planner/ZEO/WEO
Lori Rotella, Assistant ZEO
Wayne Zirolli, Borough Engineer
Public - 3

SPECIAL PUBLIC HEARING AGENDA

6:00 P.M. PUBLIC HEARING – for activities considered significant regarding a proposed plan for construction of 42,600 square foot building and parking lot within the 100' Upland Review Area at Lots 18 & 30 Raytkwich Road (IW#15-05), Applicant: A Better Way Auto

Mary Davis remarked that the commission received new maps which they did not have a chance to review but would be reviewing and discussing at the same time tonight. Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck representing A Better Way Auto was present along with Mike Lambert, Civil Engineer with Harry E Cole and Son, 876 South Main Street, Plantsville, CT. Mike reviewed with the commission their comments they made from the last meeting and explained the changes he made to the map as a result of those comments. They will pave the parking area inside the 100' upland review area on both the North and South sides of the lot. He also went over Wayne Zirolli's review of the plans and noted they will adjust their storm water systems and add a 4th oil water separator per his request. Mike stated they received a review from Roman Mrozinski from the Southwestern Conservation District. Roman would like to see a lot more upgrading to their erosion control plan. Mike showed on the map where they will add a few more diversion berms and more silt fence to the south side to comply with Roman's comments. Roman also suggested that they extend the entrance to 75' and have a phasing plan for the work to be done. Mike explained to the commission that they had a phasing plan but cannot have exact lines due to the way the work will overlap. Mary Davis would like to discuss with Wayne Zirolli where the phasing lines would be on the map and when the time comes modify the lines to have the phasing work properly. Kevin requested Mike to sketch out each phase on the map to the best of his ability and note that it will have to be adjusted as the work starts. Mark Bakstis would like the phasing to meet the engineers criteria as well as the commission's criteria. The commission understood that it would need to be adjusted. Mike currently had 3 phases on the map with each phase being less than 5 acres. Mark would like to see the sewer and utility lines be in phase 1 but understands it may need to go into phase 2 as well. Stephen Guidice with Harry E Cole and Son, 876 South Main Street,

Plantsville, CT showed on the plans where the phases were already marked out, but were difficult to see. Mike Lambert made the lines darker and mentioned the Phase of Development was already in the Notes on Map ES1 dated November 23, 2015. A discussion regarding the slope of the land and how the phasing will work ensued. Wayne explained they will not be disturbing the entire slope in the first phase. The disturbance will only go to where they meet grade, then there will be no more disturbance until the next phase. Steve went over the temporary measures they will use around the site to help with any runoff which will include the use of silt fence and hay bales. Mark would like to know if there will be an oil water separator inside the building. Kevin McSherry explained there will be no work done inside the building; it will only be used as a sales office, so therefore there is no need for one inside. Any washing of cars or repair work will be done at their other building located at 49 Raytkwich Road. Mary noted that the parking lot is still mostly gravel and she believed the commission requested the entire site be paved at the previous meeting. That was also a request in Roman's report. Kevin McSherry explained that the vehicles being brought onto this site are in good shape. They are usually on the site between 20-30 days before being sold. He emphasized that these are not junk cars; they are serviced when they come in. Mary quoted Roman's suggestions from his letter dated November 11, 2015. Mike explained that Roman's comments are for the construction phase and not post construction. He explained that once they are up and running there will be a specialized team to take care of any possible spills. DEEP would also have to be notified if there was a spill. Mary questioned how the earth would be cleaned if there was a spill in the gravel. Mike explained this is not in his expertise and would have to refer to a spill prevention control plan. Kevin discussed a previous spill in Bethany and that it takes many years to migrate into the ground. Steve Judas expressed there are a lot of what ifs and they could not design something based on what ifs. Steve reiterated that the vehicles are ready for sale once they are located on this site. A Better Way will also be required to meet DEEP standards. He believes the way this site is designed, it will function properly. He also expressed this design is better than most in the area. Mary asked for Wayne's opinion. Wayne agreed that the cars will be in good condition and the likelihood of spills will be small. Ideally to have the site completely paved would be good, but he cannot say definitively either way, which is best. Mark would like to know why they are adverse against paving the whole site. Steve responded that the first reason is expense. The second reason is they prefer a low impact design. Paving pushes the water off of the site faster. A gravel lot is pervious. Marcia asked if there is any padding that could be put under the gravel that would absorb spills. She is concerned with any possible drips that could happen over the years. Steve said there is no padding that could be put under the gravel, but there are pads for under the cars. Wayne was also not aware of any padding for under the gravel. Steve went over Roman's sketch and how they incorporated that into their plan. The only thing they were missing was the hay bales on the southerly edge, but they will put them in. He also stated there is no 50' wetland setback that Roman quoted in his report. Mary confirmed that we do not have a 50' wetland setback but we do have a 100' setback area. Mary asked if they agreed with the geotextile silt fence and they did agree. Mary also questioned about the parking spaces they requested be removed from the previous map. Steve explained that they have

already removed parking from the top of the site and to further reduce the parking on both sides would not be feasible for his client. They need a certain number of parking spaces to make this work. Mary opened the Public Hearing to the public. Fred Perugini, 47 Jolie Road believes the commission is doing their due diligence. Jackie Perugini, 47 Jolie Road is concerned that money is the factor for not paving. She believes that if they could afford to purchase the building across the street, after the fact, they should be able to afford to pave the entire lot and do it right. No more public comment. Mark Bakstis stated he is not concerned with the oil but does have a concern with deicing and antifreeze being spilled. Steve explained that paving is not doing it the right way. It is about getting the water back into the ground and not into the rivers. Today's standards are changing. In the past paving was the answer for everything but that is not the case now. Storm drainage is changing. Mark is concerned with the sheer steepness of the site and the rate of runoff. Steve further explained that the cars will not be parked on steep slopes. The parking will be terraced with a 5% slope at most. There are areas that are steeper but the cars will not be parked there. Mike went over the grades of the slopes around the lot. Everyone agreed this is a tough site and they are all trying to find balance. Mary would like to see the tiers paved and rain gardens put in where ever they are needed to catch a lot of the runoff. Steve explained rain gardens are great for infiltration but they cannot handle a lot of water, and will not meet Wayne's concern for the storm drainage system. They still need to be concerned with the rates of runoff. Mary also had a question regarding Wayne's comment about no storm water separator depicted on catch basin #B2. Mike said that will be addressed. Mary again asked if any of the parking was removed from the 100' buffer area. Steve stated the parking spaces will not have a negative impact on the wetlands. He also stated they can never come back and increase the number of parking spaces. Mary explained that she requested the parking on the north and south side of the lot be pulled out of the 100' upland review area. Steve explained that the parking on the south side is lower than the wetland area. He explained further what would be in that area to protect the wetland area. Wayne agreed what is shown is adequate. Marcia questioned the location of the conservation easement and how did they decide where it would be. Steve explained where the conservation easement will be located. It is depicted on map C2 dated November 23, 2015. They need to leave the flat surface around the area to be able to maintain the area. Marcia would like to see the conservation easement extended after construction. Attorney McSherry will adjust the wording on the conservation easement. Marcia is concerned that the cars will gravitate to an area where they do not belong. Marcia also questioned what issues the State addresses. Steve explained they will address storm water discharge and storm water pollution plan. They will monitor the site during construction and post construction. Kevin reiterated that no repairs will be done on this site. All work will be done off site. DMV does regular inspections. Mary also had a concern with the height of the retaining wall. Wayne explained the wall will be addressed in their building permit. It will have to be structurally designed due to the height. Steve again stressed they are trying to balance everyone's concerns. They have made a lot of changes to the plan since the original plan was submitted.

Mary Davis closed the Public Hearing at 8:05 P.M.

REGULAR MEETING

1. Mary Davis called this meeting to order at 6:30 P.M. She noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney.
There was none.
3. Public comment
There was no public comment.

OLD BUSINESS

- A. Commission discussion/decision regarding significance of activities for proposed construction of 42,600 square foot building and parking lot on Lots 18 & 30 Raytkwich Road (IW#15-05), Applicant: A Better Way Auto LLC

Mary still has a concern with the entire lot not being paved. She feels it would make a much better application and lot if the entire lot was paved. She feels there is still going to be a lot of runoff that has to be contained. She is also concerned with the soil being permeated with chemicals. Mark has the same concerns. Mary feels it is a big piece of property with a lot of unpaved area and lots of runoff during heavy rains. Marcia also agreed. The commission had a long discussion regarding the conditions they would like to see as part of the application. Mary made a finding that the commission agrees that this is the most feasible and prudent alternative because they had a public hearing and nothing else could be done to make this better.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Mark Bakstis to **APPROVE** IW #15-05 new building at 18 & 30 Raytkwich Rd, Naugatuck, CT with the following conditions:

1. Paving shall encompass all parking areas 200 feet back from front retaining wall.
2. Phases – no less than 3 phases and no greater than 5 acres per phase with stabilizing 90% of the current phase under construction before moving on to next phase.
3. Conservation easement to be approved by the Borough Attorney and the Borough Engineer. Conservation signage to be applied.
4. Operation and maintenance plan to clean and replace silt sacks and oil and grit separators bi-annually and after heavy rainstorms for 3 years post-construction. Report to be sent to Land Use Department with a copy sent to the IWC.

5. No fueling, no washing and no maintenance on site.
6. Geotextile silt fence installed to protect and limit disturbance along wetland perimeter.
7. Conditions apply to map dated 11/23/15 with revisions.

And the following general conditions:

1. This permit shall be valid for a period of 5 years from the date of issue. Any request to renew or extend the expiration date of a permit should be filed in accordance with the Inland Wetlands Regulations of the Borough of Naugatuck.
2. The permittee shall notify the Inland Wetlands Commission immediately upon the commencement of work and upon its completion.
3. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation.
4. In evaluation of this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete or misleading, this permit may be modified, suspended or revoked and the permittee may be subject to any other remedies or penalties provided by law.
5. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses. The permittee shall immediately inform the commission of any problems involving wetlands or watercourses which have developed in the course of, or which are caused by, the authorized work.
6. This permit is subject to and does not derogate any rights or powers of the Borough of Naugatuck, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state and local law. In conduction or maintaining any activities authorized herein, the permittee may not cause pollution, impairment or destruction of the inland wetlands and watercourses of Naugatuck.

7. Timely implementation and maintenance of sediment and erosion control measures are a condition of this permit.

5. **ADJOURNMENT**

VOTED: Unanimously on a motion by Marcia Puc and seconded by Mark Bakstis to **ADJOURN** the meeting at 8:46 P.M.

Respectfully Submitted,
Sally MacKenzie, Secretary /lr